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BEFORE THE  
PHYSICIAN ASSISTANT BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 950-2016-000830

**LEONARD RUSSELL HARRIS, P.A.**  
603 Dove Way  
Roseville, CA 95661-3603

**A C C U S A T I O N**

Physician Assistant License No. 16521

Respondent.

Complainant alleges:

**PARTIES**

1. Maureen L. Forsyth ("Complainant") brings this Accusation solely in her official capacity as the Executive Officer of the Physician Assistant Board, Department of Consumer Affairs. ("Board")

2. On or about September 24, 2002, the Physician Assistant Board issued Physician Assistant License Number 16521 to Leonard Russell Harris, P.A. ("Respondent"). The Physician Assistant License was in full force and effect at all times relevant to the charges brought herein and will expire on June 30, 2018, unless renewed.

3. On April 20, 2016, in Placer County Superior Court Case No. 62-143565, Judge Colleen Nichols issued an Order pursuant to Penal Code § 23 prohibiting Respondent from practicing as a physician assistant during the pendency of the case named *The People of the State of California v. Leonard Russell Harris*. That Order will expire when Respondent is sentenced in that matter.

## JURISDICTION

4. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

5. Section 3527 of the Code states, in pertinent part:

“(a) The board may order the denial of an application for, or the issuance subject to terms and conditions of, or the suspension or revocation of, or the imposition of probationary conditions upon a physician assistant license after a hearing as required in Section 3528 for unprofessional conduct which includes, but is not limited to, a violation of this chapter, a violation of the Medical Practice Act, or a violation of the regulations adopted by the board or the Medical Board of California.

“ . . .

“(f) The board may order the licensee to pay the costs of monitoring the probationary conditions imposed on the license.

“(g) The expiration, cancellation, forfeiture, or suspension of a physician assistant license by operation of law or by order or decision of the board or a court of law, the placement of a license on a retired status, or the voluntary surrender of a license by a licensee shall not deprive the board of jurisdiction to commence or proceed with any investigation of, or action or disciplinary proceeding against, the licensee or to render a decision suspending or revoking the license.”

6. Section 3531 of the Code states, in pertinent part:

“A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge of a felony or of any offense which is substantially related to the qualifications, functions, or duties of the business or profession to which the license was issued is deemed to be a

1 conviction within the meaning of this chapter. The board may order the license suspended or  
2 revoked, or shall decline to issue a license when the time for appeal has elapsed, or the judgment  
3 of conviction has been affirmed on appeal or when an order granting probation is made  
4 suspending the imposition of sentence, irrespective of a subsequent order under the provisions of  
5 Section 1203.4 of the Penal Code allowing such person to withdraw his plea of guilty and to enter  
6 a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information  
7 or indictment.”

8 7. Section 2232 of the Code states, in pertinent part:

9 “(a) Except as provided in subdivisions (c), (d), and (e), the board shall automatically  
10 revoke the license of any person who, at any time after January 1, 1947, has been required to  
11 register as a sex offender pursuant to the provisions of Section 290 of the Penal Code, regardless  
12 of whether the related conviction has been appealed. The board shall notify the licensee of the  
13 license revocation and of his or her right to elect to have a hearing as provided in subdivision (b).

14 “...”

15 8. Section 2236 of the Code states, in pertinent part:

16 “(a) The conviction of any offense substantially related to the qualifications, functions, or  
17 duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this  
18 chapter. The record of conviction shall be conclusive evidence only of the fact that the conviction  
19 occurred.

20 “...”

21 “(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to  
22 be a conviction within the meaning of this section and Section 2236.1. The record of conviction  
23 shall be conclusive evidence of the fact that the conviction occurred.”

24 9. Title 16 of the California Code of Regulations section 1399.523.5 states in pertinent  
25 part:

26 “(a) Except as otherwise provided, if an individual is required to register as a sex offender  
27 pursuant to Section 290 of the Penal Code, or the equivalent in another state or territory, or  
28 military or federal law, the board shall:

1 “...

2 “(2) Promptly revoke the license of the individual, in accordance with the procedures set  
3 forth in Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the  
4 Government Code, and shall not stay the revocation nor place the license on probation.

5 “(3) Deny any petition to reinstate or reissue the individual’s license.

6 “...”

7 **FIRST CAUSE FOR DISCIPLINE**

8 (Conviction of a Crime, Substantially Related)

9 10. Respondent’s license is subject to disciplinary action under sections 2236, 3527, and  
10 3531 of the Code in that he was convicted of a crime substantially related to the practice of a  
11 physician assistant. The circumstances are as follows:

12 11. On or about May 28, 2015, Witness 1 (“W1”) reported to law enforcement that the  
13 Respondent had engaged in improper sexual conduct with her juvenile daughter (“CV”) on April  
14 23, 2015. W1 stated that the Respondent had attempted to take nude pictures of CV, a 14-year-  
15 old girl, while she showered without CV’s permission. During the investigation it was learned  
16 from CV that the Respondent had attempted to touch her genitalia while she was sleeping when  
17 she was in 7<sup>th</sup> or 8<sup>th</sup> grade and that the Respondent had touched her breasts when she was in 8<sup>th</sup>  
18 grade. On or about August 26, 2015, the Respondent in an e-mail to W1 admitted to trying to  
19 look at CV when she was in the shower on April 23, 2015, and he also admitted to rubbing but  
20 not squeezing CV’s breasts on two occasions before April 23, 2015. The Respondent does not  
21 admit to attempting to touch CV’s genitalia.

22 12. On February 2, 2016, the Placer County District Attorney’s Office filed a felony  
23 complaint against the Respondent in Placer County Superior Court Case No. 62-143565, *The*  
24 *People of the State of California vs. Leonard Russell Harris*. The felony complaint alleged two  
25 felony counts of Penal Code § 288(a), lewd and lascivious act upon a child under fourteen years  
26 of age and one misdemeanor count of Penal Code § 647.6(a), child molestation.

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1       13. On January 10, 2018, pursuant to plea negotiations, the Respondent pled to a  
2 misdemeanor violation of Penal Code § 288(c)(1), lewd and lascivious act upon a child between  
3 fourteen and fifteen years of age by an adult at least ten years older than the child. The remaining  
4 charges were dismissed.

5                                   **SECOND CAUSE FOR DISCIPLINE**

6                                   (Sexual Offender Registration)

7       14. Respondent's license is subject to disciplinary action under section 2232 of the Code  
8 and Title 16 California Code of Regulations 1399.523.5 in that he will be ordered to register as a  
9 sex offender pursuant to Penal Code § 290. The circumstances are as follows:

10       15. Complainant realleges paragraphs 10 through 13, and those paragraphs are  
11 incorporated by reference as if fully set forth herein.

12       16. The Respondent is scheduled to be sentenced in *People of the State of California vs.*  
13 *Leonard Russell Harris*, Placer County Superior Court Case No. 62-143565, on February 7, 2018,  
14 at 1:30 p.m. On February 7, 2018, or on a later date if that sentencing proceeding is continued,  
15 the Respondent will be sentenced to misdemeanor probation for a violation of Penal Code §  
16 288(c)(1). As a consequence of being sentenced for violating Penal Code § 288(c)(1), the  
17 Respondent will be required by law to register as a Sexual Offender pursuant to Penal Code §  
18 290.

19       17. Pursuant to Business and Professions Code § 2232 and Title 16 California Code of  
20 Regulation § 1399.523.5, a physician assistant's license shall be revoked upon registration as a  
21 Penal Code § 290 sex offender. This Accusation provides notice that Respondent can seek a  
22 hearing on the automatic revocation of his license by filing a Notice of Defense.

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1 **PRAYER**

2 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,  
3 and that following the hearing, the Physician Assistant Board issue a decision:

4 1. Revoking Physician Assistant License Number 16521, issued to Leonard Russell  
5 Harris, P.A.

6 2. Ordering Leonard Russell Harris, P.A. to pay the Physician Assistant Board the  
7 reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
8 Professions Code section 125.3; and,

9 3. Taking such other and further action as deemed necessary and proper.  
10

11  
12 DATED: January 31, 2018

  
13 MAUREEN L. FORSYTH  
14 Executive Officer  
15 Physician Assistant Board  
16 Department of Consumer Affairs  
17 State of California  
18 Complainant

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